

Chapter HAS 6

LICENSURE OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

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|----------|--|
| HAS 6.01 | Authority and purpose. |
| HAS 6.02 | Definitions. |
| HAS 6.03 | Applications for licensure; speech-language pathologist. |
| HAS 6.04 | Applications for licensure; audiologist. |
| HAS 6.05 | Examinations. |
| HAS 6.06 | Temporary license. |

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|-----------|--|
| HAS 6.065 | Supervision of unlicensed persons. |
| HAS 6.07 | Reciprocal license. |
| HAS 6.08 | Limited permit. |
| HAS 6.085 | Accommodations relating to a disability. |
| HAS 6.09 | Grounds for discipline. |

Note: Chapter HAS 6 as it existed on May 31, 1993, was repealed and a new chapter HAS 6 was created effective June 1, 1993.

HAS 6.01 Authority and purpose. The rules in this chapter are adopted by the hearing and speech examining board under the authority of ss. 227.11 (2) and 459.24 to 459.34, Stats., to govern the licensure of speech-language pathologists and audiologists.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93.

HAS 6.02 Definitions. In this chapter and in ch. 459, Stats.:

(1) "ASHA" means the American speech-language hearing association.

(2) "Audiologist" has the meaning given in s. 459.20 (1), Stats.

(3) "Audiology" has the meaning given in s. 459.20 (2), Stats.

(4) "Board" means the hearing and speech examining board.

(4m) "Cerumen management" means the removal of cerumen from the external auditory canal by the utilization of methods and techniques performed in accordance with minimum standards and procedures established in the audiological profession.

(4o) "Employee" means an individual employed directly by a speech-language pathologist or audiologist or an individual employed by an entity which employs or contracts with a speech-language pathologist or audiologist to provide services relating to the practice of speech-language pathology or audiology.

(4r) "Direct supervision" means:

(a) For purposes of monitoring unlicensed persons who assist in the practice of speech-language pathology, providing direct observation of the clinical services provided by the individual to patients during 220 of the first 720 hours following the individual's training and providing on-site observation and evaluation of clinical care provided by the individual to each patient a minimum of 2 out of every 10 sessions, or 2 sessions each month including the final session, whichever is sooner.

(b) For purposes of monitoring unlicensed persons who assist in the practice of audiology, providing comprehensive, periodic and documented supervision which includes, but is not limited to:

1. Identifying specific roles and tasks for the individual.

2. Ensuring that the tasks performed by the individual do not require the exercise of professional judgment or entail interpretation of results or the development or modification of treatment plans.

3. Providing appropriate training that is competency-based and specific to job performance.

(4t) "Hearing aid" has the meaning given in s. 459.20 (3g), Stats.

(5) "NESPA" means the national examination for speech-language pathology and audiology.

(6) "Postgraduate clinical fellowship" means a program approved by the board consisting of a minimum of 9 months of supervised clinical practice in speech-language pathology or

audiology provided in the work setting to which an applicant is seeking licensure.

(6a) "Practice of fitting and dealing in hearing aids" has the meaning given in s. 459.20 (3p), Stats.

(6b) "Sell" or "sale" has the meaning given in s. 459.20 (3t), Stats.

(7) "Speech-language pathologist" has the meaning given in s. 459.40 (4), Stats.

(8) "Speech-language pathology" has the meaning given in s. 459.40 (5), Stats.

(8a) "Sufficient cause" means illness or other hardship.

(9) "Supervised clinical practicum" means a program required by a college or university for completion of a master's degree which consists of supervised applications of speech-language pathology or audiology.

(10) "Verification of clinical competence" means written confirmation submitted directly to the board by ASHA stating that an applicant holds a certificate of clinical competence in speech-language pathology or audiology.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93; cr. (4m), Register, August, 1995, No. 476, eff. 9-1-95; cr. (4r), Register, July, 1997, No. 499, eff. 8-1-97; cr. (10), Register, July, 1998, No. 511, eff. 8-1-98; am. (intro.), (2) and (3), cr. (4o), (4t), (6a), (6b) and (8a), Register, February, 1999, No. 518, eff. 3-1-99.

HAS 6.03 Applications for licensure; speech-language pathologist. Every applicant for licensure as a speech-language pathologist shall submit:

(1) An application on a form provided by the board.

Note: Application forms are available upon request to the board office at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(2) The fee specified in s. 440.05 (1), Stats.

(4) Subject to ss. 111.321, 111.322 and 111.335, Stats., evidence satisfactory to the board that the applicant does not have a conviction record.

(5) Evidence satisfactory to the board that the applicant:

(a) Has completed a supervised clinical practicum and received a master's degree in speech-language pathology from a college or university approved by the board; or

(b) Has completed education or training that the board determines is substantially equivalent to the requirements under par. (a).

(6) Written verification that the applicant has passed the NESPA examination required under s. HAS 6.05 or verification of clinical competence received directly from ASHA.

(7) Evidence satisfactory to the board that the applicant has completed a postgraduate clinical fellowship in speech-language pathology approved by the board.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93; emerg. am. (6), eff. 12-6-93; am. (6), Register, April, 1994, No. 460, eff. 5-1-94, r. (3), Register, July, 1998, No. 511, eff. 8-1-98.

HAS 6.04 Applications for licensure; audiologist. Every applicant for licensure as an audiologist shall submit:

(1) An application on a form provided by the board.

Note: Application forms are available upon request to the board office at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(2) The fee specified in s. 440.05 (1), Stats.

(4) Subject to ss. 111.321, 111.322 and 111.335, Stats., evidence satisfactory to the board that the applicant does not have a conviction record.

(5) Evidence satisfactory to the board that the applicant:

(a) Has completed a supervised clinical practicum and received a master's degree in audiology from a college or university approved by the board; or

(b) Has completed education or training that the board determines is substantially equivalent to the requirements for licensure under par. (a).

(6) Written verification that the applicant has passed the NESPA examination required under s. HAS 6.05 or verification of clinical competence directly from ASHA.

(7) Evidence satisfactory to the board that the applicant has completed a postgraduate clinical fellowship in audiology approved by the board or has completed education or training that the board has determined is substantially equivalent to the completion of a fellowship.

(8) Evidence satisfactory to the board that the applicant has passed the practical examination required under s. HAS 6.05 (2) (b), or has completed education or training that the board determines is substantially equivalent to the completion of the examination.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93; r. (3), am. (7), Register, July, 1998, No. 511, eff. 8-1-98; cr. (8), Register, February, 1999, No. 518, eff. 3-1-99.

HAS 6.05 Examinations. (1) An applicant for licensure as a speech-language pathologist shall pass the NESPA examination required by ASHA for certification or submit written verification of clinical competence transmitted directly from ASHA.

(2) An applicant for licensure as an audiologist shall pass all of the following examinations:

(a) The NESPA examination required by ASHA for certification or submit written verification of clinical competence transmitted directly from ASHA.

(b) The practical examination required under s. 459.26 (2) (b), Stats., or submit evidence of completion of education or training that the board determines is substantially equivalent to completing the examination.

Note: The board accepts the Certificates of Clinical Competence (CCC) in speech-language pathology and audiology granted by ASHA as evidence of completion of education and training that is substantially equivalent to passing the NESPA examination.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93; emerg. am. eff. 12-6-93; am. Register, April, 1994, No. 460, eff. 5-1-94; **renum. and am. to be (1) and cr. (2), Register, February, 1999, No. 518, eff. 3-1-99.**

HAS 6.06 Temporary license. (1) An individual applying for a temporary license under s. 459.24 (6), Stats., to practice speech-language pathology or audiology shall submit all of the following:

(a) An application on a form provided by the board.

Note: Application forms are available upon request to the board office at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(b) The fee specified in s. 440.05 (6), Stats.

(c) Subject to ss. 111.321, 111.322 and 111.335, Stats., submit evidence satisfactory to the board that the applicant does not have a conviction record.

(d) Evidence satisfactory to the board that the applicant:

1. Has completed a supervised clinical practicum and received a master's degree in speech-language pathology or audiology, as appropriate, from a college or university approved by the board; or

2. Has completed education or training that the board determines is substantially equivalent to the completion of the requirements under subd. 1.

(e) If applying for a temporary license to practice speech-language pathology, evidence satisfactory to the board that the applicant has submitted an application to take the next available examination for licensure as a speech-language pathologist required under s. HAS 6.05 (1).

(f) If applying for a temporary license to practice audiology, evidence satisfactory to the board that the applicant has submitted an application to take the next available examinations for licensure as an audiologist required under s. HAS 6.05 (2).

(2) Practice during the period of temporary licensure shall be in consultation, at least monthly, with a speech-language pathologist or audiologist who shall once a month provide written approval in the patient files of the clinical services provided.

(3) A temporary license is valid for a period designated by the board, not to exceed 9 months. A temporary license granted by the board to practice speech-language pathology may be renewed once, at the discretion of the board. A temporary license granted to practice audiology may be renewed once by the board if the applicant fails an examination for audiologist licensure under s. HAS 6.05 (2), and applies to take the next available examination or if the applicant shows, to the satisfaction of the board, sufficient cause for the renewal.

(4) The application and required documents for a temporary license will be reviewed by 2 members of the board to determine eligibility. The board may issue a temporary license prior to regular licensure to an applicant who meets the requirements under sub. (1).

(5) An individual who holds a temporary license under s. 459.24 (6), Stats., may use the title "audiology intern," "speech-language pathology intern," "clinical fellow in audiology," or "clinical fellow in speech-language pathology."

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93; am. (1) (b), Register, January, 1994, No. 457, eff. 2-1-94; cr. (5), Register, January, 1995, No. 469, eff. 2-1-95; am. (4), Register, July, 1998, No. 511, eff. 8-1-98; cr. (1) (e) and (f) and am. (3), Register, February, 1999, No. 518, eff. 3-1-99.

HAS 6.065 Supervision of unlicensed persons. For purposes of supervising unlicensed persons who assist in the practice of speech-language pathology or audiology:

(1) A speech-language pathologist may supervise up to 3 individuals at any given time.

(2) An audiologist may supervise up to 10 individuals at any given time.

History: Cr. Register, July, 1997, No. 499, eff. 8-1-97.

HAS 6.07 Reciprocal license. (1) An applicant seeking licensure on the basis of a license in another jurisdiction shall do the following:

(a) Submit an application on a form provided by the board.

Note: Application forms are available upon request to the board office at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(b) Pay the fee specified in s. 440.05 (2), Stats.

(c) Submit evidence to the board that the applicant holds a speech-language pathologist license or an audiologist license in another state or jurisdiction of the United States.

(2) In determining whether to grant a reciprocal license, the board shall determine whether the requirements for licensure in the other state or jurisdiction are substantially equivalent to the requirements for licensure under s. 459.24 (2) or (3), Stats.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93.

HAS 6.08 Limited permit. (1) A nonresident applicant applying for a limited permit under s. 459.32 (1), Stats., to practice speech-language pathology or audiology in association with a speech-language pathologist or audiologist licensed in this state shall submit all of the following:

(a) An application on a form provided by the board.

Note: Application forms are available upon request to the board office at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(b) The fee specified in s. 440.05 (6), Stats.

(d) Subject to ss. 111.321, 111.322 and 111.335, Stats., evidence satisfactory to the board that the applicant does not have a conviction record.

(e) Evidence satisfactory to the board that the applicant has completed one of the following:

1. If applying for a permit to practice speech–language pathology, evidence that the applicant has completed a supervised clinical practicum and received a master’s degree in speech–language pathology from a college or university approved by the board, or has completed education or training that the board determines is substantially equivalent to the completion of those requirements.

2. If applying for a permit to practice audiology, evidence that the applicant has completed a supervised clinical practicum and received a master’s degree in audiology from a college or university approved by the board, or has completed education or training that the board determines is substantially equivalent to the completion of those requirements.

(2) A nonresident applicant applying for a limited permit under s. 459.32 (2), Stats., to practice speech–language pathology or audiology shall submit all of the following:

(a) An application on a form provided by the board.

Note: Application forms are available upon request to the board office at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(b) The fees required under s. 440.05 (1) (b) and (2), Stats., as appropriate.

(c) Evidence satisfactory to the board that the applicant holds a speech–language pathologist license or audiologist license in another state or jurisdiction of the United States.

(3) A license granted to an applicant applying under sub. (1) shall be valid for a period not to exceed 10 days in any calendar year. A license granted to an applicant applying under sub. (2) shall be valid for a period not to exceed 45 days in any calendar year. In determining whether to grant a license under sub. (2), the board shall determine whether the requirements for licensure in the other state or jurisdiction are substantially equivalent to the requirements for licensure under s. HAS 6.03 or 6.04.

History: Cr. Register, May, 1993, No. 449, eff. 6–1–93; am. (1) (b) and (2) (b), Register, January, 1994, No. 457, eff. 2–1–94; r. (1) (c), cr. (1) (d) and (e), am. (2) (b) and (3), Register, July, 1998, No. 511, eff. 8–1–98; am. (2) (b), Register, February, 1999, No. 518, eff. 3–1–99.

HAS 6.085 Accommodations relating to a disability.

A qualified applicant with a disability shall be provided with reasonable accommodations requested in connection with the completion of an application for a credential.

History: Cr. Register, July, 1998, No. 511, eff. 8–1–98.

HAS 6.09 Grounds for discipline. (1)

The board may reprimand a licensee or permittee, or deny, limit, suspend or revoke a license or permit, if it finds that the applicant, licensee or permittee has done any of the following:

(a) Made a material misstatement in an application for a license or permit or for renewal of a license.

(b) Engaged in conduct in the practice of speech–language pathology or audiology which evidences a lack of knowledge or ability to apply professional principles or skills.

(c) Subject to ss. 111.321, 111.322 and 111.335, Stats., been convicted of an offense the circumstances of which substantially relate to the practice of speech–language pathology or audiology.

(d) Advertised in a manner which is false, deceptive or misleading.

(e) Advertised, practiced, or attempted to practice under another’s name.

(f) Subject to ss. 111.321, 111.322 and 111.34, Stats., practiced speech–language pathology or audiology while the person’s ability to practice was impaired by alcohol or other drugs.

(g) Violated ss. 459.20 to 459.34, Stats., or this chapter.

(1a) The board may reprimand an audiologist, or deny, limit, suspend or revoke a license or permit, if it finds that the applicant, licensee or permittee has done any of the following:

(a) Violated any federal or state statute, rule or regulation that relates to the practice of fitting and dealing in hearing aids.

(b) Failed to conduct a direct observation of the ear canal of a purchaser of a hearing aid.

(c) Sold a hearing aid to a person who was not given tests using appropriate procedures and instrumentation or without proper measurement of the functional intensity and range of the person’s hearing.

(2) In this section, “conduct in the practice of speech–language pathology or audiology which evidences a lack of knowledge or ability to apply professional principles or skills” includes:

(a) Subject to ss. 111.321, 111.322 and 111.34, Stats., practicing or attempting to practice speech–language pathology or audiology while the person’s ability to practice is impaired by a mental or emotional disorder.

(b) Using the title “speech–language pathologist,” “audiologist” or any similar title unless the individual holds a current speech–language pathologist or audiologist license granted under s. 459.24 (2) or (3), Stats.

(c) Violating the conditions or limitations placed upon a license at the time of licensure.

(d) Engaging in conduct likely to deceive, defraud, or harm an individual or the public in the course of the practice of speech–language pathology or audiology.

(e) Having a license, certificate, permit or registration issued by another jurisdiction to practice as a speech–language pathologist or audiologist limited, suspended or revoked.

(f) Aiding or abetting an unlicensed person, knowingly conspiring with an unlicensed person, or allowing one’s license to be used by an unlicensed person to evade the use of title restrictions under s. 459.24 (1m), Stats.

(g) Engaging in sexual intimacies in connection with the practice of speech–language pathology or audiology.

(j) Failing to fully inform persons served of the nature and possible adverse effects of services rendered and products dispensed.

(k) Failing to evaluate the effectiveness of services rendered or products dispensed.

(L) Providing services or dispensing products when benefits cannot reasonably be expected.

(m) Guaranteeing the results of any treatment or procedure, directly or by implication, except that a reasonable statement of prognosis may be made.

(n) Evaluating or treating speech, language, or hearing disorders except in a professional relationship.

(o) Treating solely by correspondence.

(p) Failing to maintain adequate records of professional services rendered and products dispensed for a period of 5 years and failing to provide access to those records when requested by the board or its representative under s. HAS 5.02 (1) and (2) (d).

Note: Speech–language pathologists and audiologists are also required to maintain patient health care records in accordance with ss. 146.81 to 146.84, Stats.

(q) Misrepresenting diagnostic information, services rendered, or products dispensed or engaging in any scheme to defraud in connection with obtaining reimbursement.

(r) Using persons in research or as the subject of a teaching demonstration without obtaining their informed consent.

(s) Failing to practice speech–language pathology or audiology within the scope of the licensee’s competence, education, training and experience.

(t) Delegating the provisions of clinical services to unlicensed persons for whom the licensee does not provide direct supervision and assume full responsibility.

(u) Knowingly permitting any professional staff or unlicensed person to provide clinical services that exceed that person's competence, education, training and experience.

(v) Failing to assign credit to persons who have contributed to clinical services, a publication, presentation or product in proportion to their contribution.

(w) Failing to perform cerumen management in a competent manner.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93; r. and recr. (2) (b), Register, January, 1995, No. 469, eff. 2-1-95; cr. (2) (w), Register, August, 1995, No. 476, eff. 9-1-95; am. (2) (o), (t) and (u), Register, July, 1997, No. 499, eff. 8-1-97; r. and recr. (1) (b), am. (1) (g) and (2) (k), Register July, 1998, No. 511, eff. 8-1-98; cr. (1a) and r. (2) (h) and (i), Register, February, 1999, No. 518, eff. 3-1-99.